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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,703	10/14/2003	Robert J. Desmarais	1104 US	9923
20346	7590	02/13/2006	EXAMINER	
KEY SAFETY SYSTEMS, INC. PATENT DEPARTMENT 5300 ALLEN K BREED HIGHWAY LAKELAND, FL 33811-1130			FLEMING, FAYE M	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/683,703		DESMARAIS ET AL.	
	Examiner		Art Unit	
	Faye M. Fleming		3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/21/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 8-10, 12-14, 16, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kotikovsky, et al. (5,037,135).

Kotikovsky discloses a vehicle restraint system comprising a seat belt web 12 for a vehicle; a seat belt web retractor 31; a web guide 44 including a D-ring; a support 34 mountable to a vehicle body, the web guide rotatable about a first axis of the support; a joint connecting the web guide to the support and a pivot connection between the web guide and the support, the pivot connection comprising a first curved surface transverse to the first axis. Kotikovsky teaches a second curved surface mating with the first curved surface, the second curved surface transverse to the first axis, see figure 2. The first curved surface and the second curved surface are spherical. The support comprises the first curved surface and the web guide comprises the second curved surface. The pivot connection comprises a third curved surface transverse to the first axis and a fourth curved surface transverse to the first axis, the third curved surface mating with the fourth curved surface. The web guide forms two of the first, second, third and fourth curved surfaces. Kotikovsky discloses a tongue 20 attached to the seat belt web, the tongue selectively insertable into a buckle 22. A gap extends along the first axis between the support and the web guide.

Art Unit: 3616

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 7, 11, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Desmarais, et al. (6,478,334).

Desmarais discloses a vehicle restraint system comprising a seat belt web for a vehicle; a seat belt web retractor; a web guide 22; a support 32 mountable to a vehicle body, the web guide rotatable about a first axis of the support; a joint connecting the web guide to the support and a pivot connection between the web guide and the support, the pivot connection comprising a first curved surface transverse to the first axis. Desmarais teaches a washer 39. With respect to claim 11, Desmarais teaches the web guide can be formed of a load-bearing plate or loop of wire, or other construction as known in the art. Desmarais teaches a spring extending along the first axis in communication with the web guide, wherein the spring extends between the web guide and a vehicle body.

Allowable Subject Matter

6. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

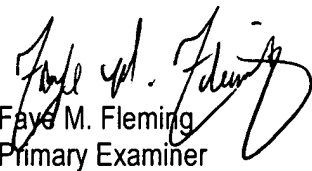
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye M. Fleming whose telephone number is (571) 272-6672. The examiner can normally be reached on M-F (9:00-5:00).

Art Unit: 3616

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 02/06/2016
Faye M. Fleming
Primary Examiner
Art Unit 3616